

Basin Environmental Improvement Project Commission Public Participation Situation Assessment

Submitted to:
The US Environmental Protection Agency, Region 10
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Submitted by:
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About the Author

Wendy Green Lowe is has over 29 years of experience in group process facilitation and public participation support. She has managed large- and small-scale public participation programs within approved budgets and on schedule to meet client objectives on highly controversial issues. She has successfully designed and facilitated group processes for a variety of public and private organizations. She has developed and implemented public involvement plans; managed public meetings of various formats; and moderated public hearings. She is thoroughly familiar with the policy-making process and how to design a program for involving the public in that process. Ms. Lowe currently serves on the Board of Directors for the USA Affiliate of the International Association for Public Participation and has been an active member of that organization since 1992. Ms. Lowe has been a Certified Professional Facilitator (under the auspices of the International Association of Facilitators) since 2006 and has been on the U.S. Institute for Environmental Conflict Resolution's roster of environmental facilitators since 2001. She is a Partner with The Participation Company.

Abstract

Wendy Green Lowe of The Participation Company conducted a situation assessment focused on the Basin Environmental Improvement Project Commission process as it pertains to citizen awareness of, and involvement in, Coeur d'Alene Basin cleanup decisions. She conducted 31 interviews with a total of 35 people to collect their reflections on the public involvement processes conducted by the Basin Commission. This report describes the interview process, shares four overall observations about what was learned, and makes a total of 13 recommendations for consideration by the Basin Commission. Implementation of all 13 recommendations would require considerable effort and may not be necessary.

The first recommendation is the most important one – the Basin Commission should deliberate on its role in decision making and determine for itself whether there is an ongoing need for public participation to inform that decision-making process. The International Association for Public Participation defines public participation as any time a government entity solicits input from the public with the explicit intention of using that input in a decision making process. Much has changed in the years since the Memorandum of Agreement was signed following passage of the Basin Environmental Improvement Act of 2001. What is not clear is whether the Basin Commission has an ongoing need to hear from the public in order to make decisions that are informed by the public. It is clear that continuing to operate the CCC as it is currently operating will be disappointing to many and would serve the Basin Commission and the agencies little purpose.

Introduction

Wendy Green Lowe of The Participation Company was tasked with conducting a situation assessment focused on the Basin Environmental Improvement Project Commission (Basin Commission) process as it pertains to citizen awareness of, and involvement in, Coeur d'Alene Basin cleanup decisions. The Citizens Coordinating Council (CCC) is the focus organization to facilitate the public involvement process of the Basin Environmental Improvement Project Commission. The CCC was created pursuant to the Memorandum of Agreement that resulted in the creation of the Basin Environmental Improvement Project Commission (Basin Commission). The Memorandum of Agreement called for formation of the CCC to serve as a primary conduit to and from the Basin Commission on citizen/community issues, concerns, and opportunities for input related to Commission activities. The Basin Commission was created by the Idaho legislature under the Basin Environmental Improvement Act of 2001 (Idaho Code Title 39, Chapter 81) to coordinate cleanup, environmental restoration, and related measures in the Basin (area encompassing the Bunker Hill Mining and Metallurgical Complex Superfund Site contaminated by mining waste) located in the Coeur d'Alene River Watershed, Coeur d'Alene Lake, and the upper reaches of the Spokane River.

The Bunker Hill Mining and Metallurgical Complex Superfund Site, now also known as the Coeur d'Alene Basin cleanup, was first added to EPA's National Priorities List of contaminated sites in 1983. The site cleanup has been conducted under the authority of the Environmental Protection Agency since then in compliance with the Comprehensive Environmental Response, Compensation, and Liability Act (also known as Superfund). The Basin Commission was created by the Idaho legislature based in part on a lack of trust in the EPA. The State of Idaho signed the Act into law to help ensure a voice for the State and local government in cleanup decision-making.

The Commission is made up of representatives of the State of Idaho, the three Idaho counties in the Basin, the Coeur d'Alene Tribe, the State of Washington, and the United States of America. The Commission became operational in March of 2002 with the execution of the order from the director of

CCC Functions

The primary functions of the CCC are to:

1. Support the Basin Commission's implementation of the Record of Decision and related plans to address heavy metal contamination in the Coeur d'Alene Basin by serving as the primary mechanism for citizen input.
2. Provide comment on proposed Basin Commission one- and five-year work plans prepared by the Technical Leadership Group and the Executive Director.
3. Organize project-specific teams or subcommittees, as needed, to provide citizen input to Basin Commission and Technical Leadership Group work/projects.
4. Convey the range of citizen concerns and perspectives to the Basin Commission Board concerning implementation of the Basin Commission's work plans.
5. Encourage public participation in reviewing the remedial actions in the Basin.
6. Provide guidance on and help develop, with Basin Commission support, community outreach tools to keep citizens informed of Basin Commission activities and policies.
7. Contribute to the preparation of Basin Commission annual reports, specifically the community outreach/involvement chapters.
8. Continually strive to be an open and inclusive body that is capable of representing a diversity and balance of views.

the Idaho Department of Environmental Quality and participation of the Coeur d'Alene Tribe, Benewah, Kootenai, and Shoshone Counties, and State of Idaho. In August 2002, the State of Washington and Federal Government joined the Commission through the execution of a Memorandum of Agreement agreed to by the seven governments. Although the EPA retains the overall authority over the Superfund cleanup, the Basin Commission meets quarterly to receive updates on cleanup actions and review work plans.

According to the CCC's "Organizational Practices and Procedures" (posted at <http://www.basincommission.com/ccc/Final%20CCC%20Practices%20and%20Procedures%20Amended%20November%202011.pdf> and presented in the box above), the CCC was established to provide local citizen review of and input to the Basin Commission Board and the Commission's Executive Director on Basin work. The specific functions envisioned for the CCC are listed in the box (below).

This document explains the methodology used to conduct the situation assessment, reports on the results, shares observations, and makes a series of recommendations. The rest of this document is shared in the first person, reflecting Ms. Lowe's findings, conclusions, and recommendations.

Methodology

To inform the situation assessment, I reviewed relevant background documentation and conducted a total of 31 interviews (some in person and others via telephone) with a total of 35 people.

Prior to conducting the interviews, I identified a total of 58 people to interview, including:

- All seven Basin Commission members and both staff people
- A total of 13 people who work for various agencies and routinely attend CCC meetings
- A total of nine people who have been identified in CCC meeting notes as CCC members
- A total of 27 additional people who have attended (according to CCC meeting notes) one or more CCC meetings in the last five years (since January of 2011).

CCC staff provided contact information used to announce upcoming CCC meetings which included the Basin Commission members, agency representatives, CCC members and some members of the public.

Of the 27 people who have attended a meeting since January 2011, contact information provided included five people with email addresses, six with telephone numbers, and two with both. No contact information was provided for the other fourteen people. Of the members of the public who have attended a recent CCC meeting:

- Three with email addresses never responded to the invitation to be interviewed
- Four with a telephone number did not respond to the invitation to be interviewed
- Four people agreed to be interviewed.

Those with email addresses were contacted via email and I attempted to call telephone numbers; I left messages when not able to talk directly to individuals.

An additional three members of the public were recommended by people who were interviewed as being folks that should be contacted. Those three individuals were included.

I interviewed:

- Five Basin Commission members and both staff people; two members never responded to the invitation
- Eleven agency representatives who routinely participate in CCC activities; two declined to be interviewed
- Seven CCC members; two did not respond
- Four people who have attended a CCC meeting in the last five years
- Three additional people who had been mentioned by others (two of whom included their spouses in the interviews).

Questions for use in the interviews varied according to whom was being interviewed, the time allowed, and, in part, based on what the interviewee was most interested in talking about.

Questions asked of Basin Commission commissioners and staff as well as the agency representatives included:

1. The Memorandum of Agreement that resulted in the creation of the Basin Commission also had provisions for a CCC to serve as a primary conduit to and from the Basin Commission on citizen/community issues, concerns, and opportunities for input related to Commission activities. In your opinion, is the CCC effective in supporting the needs of the Basin Commission?
2. If changes were made to the CCC, what should be preserved and what should be changed?
3. A lot has changed since the MOA was signed in 2001. In consideration of the communities surrounding the Bunker Hill Mining and Metallurgical Superfund Site, what might be done to further enhance public input into the Basin Commission activities?

Questions asked of CCC members included:

1. Why did you apply for membership to the CCC? What were your expectations about the roles and responsibilities of the CCC members? Are/were your expectations met?
2. How do you decide whether/when to attend a CCC meeting? What about the meeting logistics (date, time, location) affects your ability and willingness to attend?
3. How do you learn about upcoming meetings? Is the notification method working for you? How could it be improved?
4. Consider the design of CCC meetings. What are your thoughts about how time is spent during

the meetings?

5. Do you understand the information that is presented at CCC meetings? Are questions answered to your satisfaction?
6. Do you feel that issues raised by CCC members have been taken into consideration by the Basin Commission? How do you know what is done with your input?
7. Is/was it worth your time and energy to be a CCC member? Help me understand why you feel that way. (If no longer a member, why did you decide to leave the CCC?)
8. If changes were made to the CCC, what should be preserved and what should be changed?
9. A lot has changed since the MOA was signed in 2001. In consideration of the communities surrounding the Bunker Hill Mining and Metallurgical Superfund Site, what might be done to further enhance public input into the Basin Commission activities?

Questions asked of members of the public:

1. How do you decide whether/when to attend a CCC meeting? What about the meeting logistics (date, time, location) affects your ability and willingness to attend?
2. How do you learn about upcoming meetings? Is the notification method working for you? How could it be improved?
3. Consider the design of CCC meetings. What are your thoughts about how time is spent during the meetings?
4. Do you understand the information that is presented at CCC meetings? Are questions asked at CCC meetings answered to your satisfaction?
5. Do you feel that issues raised by CCC members have been taken into consideration by the Basin Commission?
6. Is/was it worth your time and energy to attend CCC meetings?
7. If changes were made to the CCC, what should be preserved and what should be changed?
8. A lot has changed since the MOA was signed in 2001. In consideration of the communities surrounding the Bunker Hill Mining and Metallurgical Superfund Site, what might be done to further enhance public input into the Basin Commission activities?

People who were interviewed were provided with a draft version of a write-up of their responses to the questions and asked to help ensure that what they had intended to say was properly documented. All requested corrections were made. One interview report was never approved. Only those interviews that were approved by the people who were interviewed were used in the development of this situation assessment.

People who were interviewed were told that every effort would be made to protect their confidentiality.

Observations

In 2008, the National Research Council established the Panel on Public Participation in Environmental Assessment and Decision Making at the request of U.S. Environmental Protection Agency, the U.S. Department of Energy, and the U.S. Food and Drug Administration, with additional support from the U.S. Forest Service, to assess whether, and under what conditions, public participation improves decisions. The final report on that assessment is available at <https://www.nap.edu/catalog/12434/public-participation-in-environmental-assessment-and-decision-making>.

The first conclusion presented in the NRC's final report was that "When done well, public participation improves the quality and legitimacy of a decision and builds the capacity of all involved to engage in the

policy process. It can lead to better results in terms of environmental quality and other social objectives. It also can enhance trust and understanding among parties.”

In response to the question about whether the CCC is serving the needs of the Basin Commission, two quotes stood out:

- *“I guess that depends on how you define the needs of the Basin Commission. But both the Basin Commission and the CCC should be serving the needs of the community. That is why the Commission and the CCC were formed - to provide a voice for the local community in the cleanup. Effective communication is two-way - informing and listening. The Basin Commission should be sharing information about the cleanup program with the public and inviting input from the public and they are not doing either effectively at this point.”*
- *“The public should have considerable opportunity to provide input to the cleanup process. It is a big cleanup effort addressing a large contamination problem. The public should be providing input to not just the Basin Commission but the Trust as well. Of course, people who live in the area have another avenue for providing input to the Basin Commission, through the County Commissioners that represent them. But it would be a big mistake not to have ample opportunities for the public to provide input to the cleanup. The Basin Commission should be asking for public input and addressing the results.”*

If the CCC is falling short of expectations, I wondered why and how. Following are four observations based on what I learned during the interviews.

Observation 1. There is a lack of clarity about the role of the Basin Commission in cleanup decision-making.

It would appear that the CCC’s limitations start with wide-spread confusion about the role of the Basin Commission. During the interviews, responses revealed an inconsistent understanding of how decisions are made related to cleanup at the Bunker Hill Mining and Metallurgical Superfund Site. It is widely believed that the EPA makes most decisions and many are unclear about the role that the Basin Commission plays. A common sentiment was expressed by one person this way: *“EPA is going to do what they want to do regardless of what people say. Sometimes it feels like they have already made up their minds anyway.”* Another said *“I still don’t understand what power and authority the Basin Commission has. EPA seems to be in the driver’s seat. I guess if the Basin Commission objects, they can tell EPA so, but I haven’t seen much of that.”* Other people expressed confusion about what each party is responsible for.

As if the confusion about the EPA and the Basin Commission’s respective roles in decision making were not enough, others are further confused about the roles and authority of the Technical Leadership Group (TLG) and the Coeur d’Alene Trust. For example, one person said, *“You have to figure out how things work. The board’s workings are not transparent. The relationships are complicated: EPA to the Idaho Department of Environmental Quality (DEQ), relationships of both DEQ and EPA with county commissioners, etc. etc. You have to figure out who is deferring to whom to make a decision regarding a particular issue.”*

Several people complained about having to attend the Basin Commission, TLG, and CCC meetings out of concern that they might miss something. If a citizen has an issue that they want to provide input on, the burden of attending all three groups can be challenging. *“If you’re attending the Basin Commission meetings and TLG, then the reports are repetitive. If you’re a citizen attending because of a short-term, single issue, it’s likely you aren’t interested in much of what you hear. The clean-up projects are quite*

interesting if you have time to put in, and not everyone wants to know that much... If someone/group wants to advocate for citizens, you have to be strategic, dynamic, and persistent.” Another person said, “I don’t understand why three meetings are necessary: the Basin Commission, the TLG, and the CCC. They all have virtually the same agenda. It is wasteful of everyone’s time.” Several agency representatives reported that supporting all three is hard for their organizations.

Since the Basin Commission does not have the ultimate authority to make cleanup decisions, some people appear to be unclear about its purpose. Perspectives offered during the interviews included:

- *“It appears the Basin Commission seems to think its primary job is to protect the economic interests derived from tourism, real estate values, and continued waterfront development where contaminants lie. Local County Commissioners, do not appear to see part of their mission as it relates to overseeing the public welfare within areas of contamination (defined as entire CDA Basin where toxins have come to lie) or addressing pathways of lead contamination to children, for example. Yard clean up has been successful in the Kellogg box, which is a plus.”*
- *“Based on what is demonstrated, the Basin Commission Director seems to provide political protection for the commissioners even if it means quelling public interest so no issue can arrive. That might be good for some people, but is it serving the needs of the public? I think the Commission should hear public concerns more often.”*
- *“Based on my observation, the commission has not done much to address issues because the commission has not taken positions or issued public position statements and seldom asks for public or CCC input on issues. I know Terry has taken on issues with EPA’s approach (in the background). He will advocate on behalf of the public’s concerns and EPA’s lack of reasonable responses, but those situations are not openly or publicly discussed. It has gotten worse with the CDA Trust taking over much of the activity because their designs and activities are not being openly reviewed or watched.”*

The lack of clarity around the Basin Commission’s role is diminishing the effectiveness of the CCC.

Observation 2. There is also a lack of clarity about the purpose of the CCC.

Not only is the purpose of the Basin Commission unclear, the purpose of the CCC is also unclear.

- Several people interviewed reported that the purpose of the CCC is primarily to provide information to the community about the cleanup.
- Another interpretation is that the CCC members should be sharing information with the broader community.
- Those who have submitted project proposals in the past reported expecting to attend CCC meetings to learn more about the projects that were funded. Evidently they were told that information was confidential and could not be shared.
- Yet another interpretation is that the primary purpose of the CCC is to convene interested members of the public to provide input to the Basin Commission.

Among, those who believe the CCC should provide the opportunity to provide input, there is confusion about what sort of input is being sought by the Basin Commission:

- Some assume they should be submitting creative ideas or alternative approaches to ideas already under consideration by the agencies.
- Others, who are involved in cleanup work on privately-owned land, assume they can go to CCC meetings to discuss specific concerns about those efforts. It would appear that the agencies are

uncomfortable discussing those topics in a public meeting, preferring one-on-one discussions with the relevant landowners.

- Still others, land owners in particular, think their past experience in addressing restoration of sites contaminated by mining waste might be useful to those planning cleanup work. For example, one member of the public stated that *“The people who lived on the landscape, the land managers, are almost all gone. People who work the land are very knowledgeable and had lots of ideas to share with EPA and DEQ. I think the agency people are trying to do their jobs... Those of us who have been around a long time remember a lot. By the old mission, they tried to remove contamination by pumping material out. They did that back in the 1930s through the 1960s. They installed a big culvert. When a flood came after that, the larger particles weren't there, but when the fines dried, it left a veneer of metals. That veneer had over 4000 parts per million of lead. I learned how to deal with that in college. We plowed it down, added organic material and other soil amendments, and restored the vegetative cover. Those of us living here a long time have been dealing with these problems a very long time.”*

The National Research Council's report included a recommendation that “When government agencies engage in public participation, they should do so with

- clarity of purpose,
- a commitment to use the process to inform their actions,
- adequate funding and staff,
- appropriate timing in relation to decisions,
- a focus on implementation, and
- a commitment to self-assessment and learning from experience.”

The lack of clarity around the purpose of the CCC means that many people are disappointed by how the meetings are conducted. When no response is forthcoming from the Basin Commission following input, several individuals conclude that the Basin Commission and/or the EPA are not being responsive to the CCC.

Observation 3. According to virtually everyone, participation in CCC meetings is disappointingly low.

It is possible that low participation is caused by a lack of interest, but there are numerous other potential explanations, including the possibility is that the general public doesn't know about the CCC or understand that attending CCC meetings provides the opportunity to learn more about basin contamination and the cleanup program. The public may not even understand why they might want to learn more. It might be that the meeting announcements are not reaching everyone. It also might be that meetings are held at inconvenient times and locations. Getting to the bottom of the reasons for low participation is challenging. I only interviewed people who do attend. One would need to interview people who do not attend (despite being interested) to learn more.

Does the low participation in CCC meetings matter? One agency representative observed, *“The Basin Commission is getting input from the public through the CCC - but the very limited number of people involved in the CCC means that the input they are getting is biased. People only attend CCC meetings when they are really interested in something, and consequently their input is generally self-serving. The CCC and therefore the Basin Commission is not hearing from people who do not have strong opinions. It is possible the public as a whole is not really interested in what is going on, that they don't care, or that they are just not paying attention. If the Basin Commission is concluding that what they are hearing is representative of broader public opinion, that is an inappropriate conclusion. Jerry Boyd tells them the*

information that is shared at CCC meetings and what the attendees say in response, but when only a small handful of people show up, it is not a good idea to assume those folks are representative of the public as a whole.”

Observation 4. A legacy of distrust continues to inhibit collaborative community involvement.

Historically, there was a lack of trust in the EPA and among the agencies, which contributed to the passage of the Basin Environmental Improvement Act of 2001 and the subsequent formation of the Basin Commission and the CCC. The State of Idaho’s Department of Environmental Quality (DEQ) and the EPA conduct their own, independent public involvement activities in addition to the Basin Commission’s outreach efforts. The ongoing effect is that interested members of the public are burdened with trying to figure out who is inviting their engagement and for what purpose. People are tired of going to meetings and tired of participating.

There were reports of increased trust in EPA and among the various parties. In addition, the cleanup program has moved beyond the yard cleanup program and will likely continue for quite some time.

It may be appropriate for all of the parties (EPA, DEQ, the Basin Commission, and the perhaps even the Coeur d’Alene Trust) to join forces collaboratively to develop and conduct a comprehensive, coordinated public involvement program. One person interviewed suggested the formation of a Community Advisory Group with a more rigorous design and structure, and that idea might be worth considering, if the parties were willing.

Recommendations

The following recommendations are submitted based on the results of the situation assessment.

Recommendation 1. The Basin Commission should clarify its role in the cleanup program to support a discussion of its needs for public participation and its expectations of the CCC

As I noted in my observations, there is a lack of clarity about the role of the Basin Commission. Until that role is clear to everyone, the role of the CCC will continue to be confusing and frustrating.

The CCC was established to provide local citizen review of and input to the Basin Commission Board and the Commission’s Executive Director. The International Association for Public Participation (IAP2) defines public participation as any time a government agency asks for input from the public for the explicit purpose of using that input to support a decision making process. In other words, input should not be sought absent an intention to make use of the resulting input.

The rationale for involving the public in public policy decisions derives from the expectation that citizens have that they will be afforded an opportunity to participate in decisions that will affect them. In addition, IAP2 suggests that properly-designed public participation helps decision-makers find solutions from within the realm of options (identified by the decision maker as technically appropriate and fiscally-responsible) that are more acceptable to the public. One result from well-designed and implemented public involvement programs is that decision makers have a better understanding of what matters to the community. Another is that agency decisions are better understood by the public and will ideally face less opposition. It is recommended that the Basin Commission discuss its needs. Perhaps the role of the Basin Commission has changed since the Memorandum of Agreement was signed. The county commissioners who serve on the Basin Commission may feel they have an adequate understanding of their constituents’ issues and concerns, but other Basin Commission members may feel differently. A thoughtful conversation within the Basin Commission will help refine the body’s

understanding of its own role as well as its expectations of the CCC. Relevant thoughts shared through the interviews include the following:

- One Basin Commission member said in response to my questions, *“If we want a strong presence from the community - well we haven't had that in a long time. One time the Basin Commission had a strategic discussion about our goals and vision. Then we got busy and focused our attention on projects and the financial sustainability of the cleanup funding. We are now starting to ask about our role and what value we can bring to the cleanup program. Jerry Boyd has been telling us that attendance is low. Maybe this is a good time to ask ourselves - is the CCC serving our needs?”*
- One agency representative said, *“I would be surprised to learn that the Basin Commission has ever actually talked about what they hope to get from the CCC. I don't recall a discussion within the Basin Commission about what the public thinks, or about what they - as a body - would like to hear from the public. Of course, I don't know what goes on behind closed doors. They do have one executive session each year, but I think they talk about the Director's performance in that session, not about the role they want the CCC to play.”*
- Another agency representative said, *“If the Basin Commission really wants to know what the public thinks, they need to be more proactive about it and provide more leadership. They should be trying different formats for meetings. There isn't any dialogue among the Basin Commission members about what they are told. They don't discuss what they have heard reported by Jerry nor reflect on what else they are hearing from their constituents. Nothing is done with the input and nothing is done to respond to the input. It goes into the meeting notes and that's the end of it.”*
- Yet another agency representative said, *“My biggest concern is that the meetings are really expensive for the agencies to support, particularly given the fact that so few members of the public attend. We cannot afford to assume that the small group of folks that attends is representative of the public. The agency folks have to prepare, some have to travel, and it is exceptionally expensive when only 3-5 people attend. It just isn't cost effective when all the agencies have such limited budgets.”*

Conceptually, there are at least four options that could be considered by the Basin Commission, including:

- 1) Discontinue the CCC
- 2) More clearly focus the role of the CCC on sharing information with the public
- 3) Refine the design of the CCC to enhance its role in providing input for consideration by the Basin Commission when making decisions
- 4) Join forces with other parties to form a Community Advisory Group (this concept is discussed further later in this report) as a replacement for the CCC.

At least one person observed that unless more people start attending the CCC meetings, it should be discontinued. Others did not share that opinion. In any case, the first option would presumably require action on the part of the Idaho Legislature, and the path forward is beyond the expertise of The Participation Company.

One of the Basin Commission members was certain the CCC serves a necessary role: *“We definitely need the CCC to continue. We owe it to the community. It needs to be available to people who want to know about the cleanup. We need to provide information and there needs to be a mechanism for listening to the public. We need to respond to what they say; they need to know they have been heard. The agencies need to be able to demonstrate that we have heard the community. That is not happening.”*

If either the second or third option is chosen, the Basin Commission may want to consider the benefits of clarifying the role of the CCC in the Memorandum of Agreement accordingly and make new information available to the public about the CCC. Managing expectations will help all more clearly understand the purpose and objectives of the CCC and evaluate its performance accordingly.

The fourth option would require a much more collaborative relationship between the various parties over an extended period of time to accomplish a meeting of the minds to conceptualize and execute the new group. Some legal work might be required to adapt the Memorandum of Agreement signed by the parties that came together to form the Basin Commission and the CCC.

If the Basin Commission decides to focus only on the role of the CCC in sharing information with the public, implementation of Recommendation 2 will be essential.

Recommendation 2. The Basin Commission should increase efforts to inform and educate the public to help them understand why they should care about cleanup

Several people suggested there is a need to do more public education about the cleanup. Comments from the interviews included the following:

- *"... there needs to be a whole lot more public outreach and education in Coeur d'Alene. Regardless of whether or not the Lake is eventually included in the remedy, there is contamination in the lake that poses risk to residents... There is a huge segment of the community that has no idea how much has been accomplished as well as how much still needs to be done. Issues cannot be addressed until they are recognized."*
- *"We are conducting cleanup in a place that many people believe is beautiful and productive. We need to find a path forward that addresses how people can continue to live here, practical steps that can be taken to accomplish the cleanup without destroying the place. We need to be telling people - here is how you can have a say in our decisions and here is where you can get more information."*
- *"I think the public needs somewhere to go to learn about the cleanup and to have their questions answered. I don't have any good ideas about how to get more people to attend. It seems to me that local residents are vaguely aware of the Superfund cleanup. My guess is that the more they know, the more interested they will get. I don't think they realize how serious the contamination is. I think people attend when they have specific concerns and they know that a specific topic of interest will be on the agenda. I have no suggestions for getting more people to attend meetings, though. Maybe the effort should focus on informing the community. My guess is that attendance at meetings would go up if more people understood more."*

The Basin Commission could augment the CCC with other methods for sharing information by selecting public communication methods to reach specific demographics. Suggestions gleaned from the interviews include the following:

- *"Our agency is doing a lot more things to reach out to people. We are using social media, different ways of reaching out to people. Those might not be the best ways to reach people on this project, but my point is that if we want to communicate with people, we need to know the best way to communicate with those people."*
- *"Maybe we should be looking at something like the Silver Valley Classifieds - which is a Facebook group that allows people to post anything that is related to life in the Silver Valley. It's kind of like a rumor mill, but it is very effective. It's a way to get a free dialogue going. If we could find some similar way to allow on-line conversations that allows people to participate when it is*

convenient for them.”

- *“The Basin Commission has not updated its website in years. It is not user-friendly and it does not invite interested parties to explore. They post meeting notices and meeting summaries, but that's it. At a minimum, the Commission could be doing more to notify the public about what is going on - by sending out emails to people and using social media to announce meetings.”*
- *“Another idea would be to make the CCC website more interactive. If citizens could post questions and comments on the website and then the answers to those questions and comments could be posted, it would all be more transparent and responsive. Right now there is no record of what people ask about or say or what is done to respond to that input.”*

It was also suggested that the agencies work together to develop a combined mailing list of all interested stakeholders.

In addition to CCC meetings, the Basin Commission may want to consider sponsoring or co-hosting other types of events to inform the broader community as well as raise interest and awareness. Suggestions by folks who were interviewed included:

- *“Maybe they could get some younger people involved by asking them to work on a project. Maybe they could drum up some project around Medimont. Thirty years ago they asked for help on a bank stabilization effort on the Wildlife Management Area and everyone showed up, including the County Commissioners. We had a big barbecue at the end of the day.”*
- *“Rather than just informing people, give them something to do. I believe this stimulates, empowers and engages people—and leads to people supporting the clean-up, which in turn, makes the entire process ultimately easier for the agencies—if citizens are asked to engage in things that affect them, their property, and the future of their community.”*
- *“Maybe the agencies could work together to have a lake event. If it included fun activities and was educational, maybe lots of people would attend. Public awareness needs to increase. Once people know more, they will be more interested and willing to do something.”*

The second option is problematic, based on the interviews, because attendance at CCC meetings is very low, CCC members are not currently acting in the capacity of serving as conduits of information to the broader community, and meetings are not the most effective way to share information with the broader community. If this option were chosen, it is recommended that it be supplemented by other communication methods to more effectively distribute information to everyone who might want to benefit from the information being shared. In addition, recommendations 6-11 will help enhance the effectiveness of CCC meetings.

If the Basin Commission chooses to refocus attention on soliciting input from the CCC, Recommendations 3, 4, and 5 address how to improve the CCC's ability to provide helpful input to the Basin Commission.

Recommendation 3. The Basin Commission should make specific requests for input related to upcoming decisions

Quite a number of people observed that the Basin Commission is not asking for input from the CCC:

- *“The CCC has not been performing for quite some time. The only thing that seems to motivate people to participate is ‘not in my back yard’ thinking. As long as what is going on is not going on in their backyards, they don't seem to care... Voices come and go, but when they are not heard, they leave for good because they figure out it's a waste of time... The Basin Commission doesn't*

seem to know what to do about it. But the Basin Commission doesn't ask the CCC for input, and as a result, doesn't get input that it can use."

- *"The Basin Commission is not asking for input, doesn't appreciate the input it gets, and doesn't respond to input. The agenda is virtually the same agenda that the Basin Commission has. There is no attempt to find out what the public is interested in. The agenda allows the box to be checked, but serves no other purpose."*
- One person suggested that the Basin Commission is not asking for input because it isn't making any decisions that it needs input for. *"The Basin Commission needs to rise to the challenge of talking together rather than just receiving reports. They should be weighing in on things. It is unbelievable that they didn't even discuss the boat races as it was a hot topic that they could have potentially weighed in on. I guess they knew they couldn't reach agreement so they didn't even bother to discuss them. So the body charged with coordinating the cleanup on behalf of the local community doesn't even discuss an event that could have lasting ramifications! It's an example of how the Commission is just wasting everyone's time."*
- *"We have got to figure out how to motivate greater participation. I suspect there is a high level of apathy. I talk to people who say the decisions have all already been made and therefore there is no reason to provide input. I don't think that's true, but if they think it's true, then that will affect their behavior. We need to do a better job of telling them what input we could use and how they can affect decisions that have to be made."*
- A Basin Commission member made this point: *"I think we may get limited input from them because, as so many people have said, there really isn't much point in providing input. EPA is going to do what they want to do regardless of what people say."*
- *"I think the Basin Commission should ask itself, what do we need input on and then design the outreach efforts to meet those specific needs. Public participation should be explicitly designed to meet the Commission's needs rather than conducted the same way routinely."*

Once it is decided that input from the public would be useful, the Basin Commission should alert CCC members and the general public that input is being sought. Then CCC meetings should be designed to include clear explanations of upcoming decisions to be made, who is making the decision, how the decision will be made, and the specific sorts of input that could be considered by the decision-maker.

Recommendation 4. The Basin Commission should report back to folks who have provided input regarding what was done with that input

At a minimum, after decisions have been made, follow-up presentations should emphasize how input received from the public was used and, if the input could not be used, clear explanations should be provided as to why it could not be used. Many of the folks interviewed made note of the need for feedback from the Basin Commission:

- One Basin Commission member said *"We - the Commission - could do a better job of letting the public know that we have heard their input, that we do consider what they say. The problem is there is so little trust in government right now - in all levels of government. Our credibility is lost; the public doesn't trust any elected officials any more. We should all work together to regain the public's trust."*
- Another person said, *"I don't know if my concerns have been taken into consideration as there has been no response. This has happened three times. Even if they said, thank you for your input it would be better than getting no response what-so-ever."*
- *"I have been appalled at the callousness when there is no response at all. Any response is better than no response."*

Perhaps it will need to be clarified what should be done once an issue has been raised at a CCC meeting. Should the chair be obligated to continue to press the Basin Commission to address the issue, or to request a response from the Basin Commission? As one person wondered, *"If the CCC is the citizens' arm of the clean-up, why isn't part of the purpose of the CCC to advocate for citizens? ... When issues are brought before them by citizens, I saw that they were duly noted in the CCC minutes, which the Basin Commission receives. But no action is taken by the CCC to pursue or resolve those issues. They are lost. If you have an issue, you cannot assume anything will be done unless you/your group pursue that issue yourselves with the Basin Commission and the related state and federal agencies."*

Status reports on the implementation of cleanup efforts should be included in meeting agendas as well. The public will remain interested even after decisions have been made.

Recommendation 5. Formalize information provided to the Basin Commission about CCC meetings

Several people expressed appreciation for the tradition of providing written copies of comments shared at CCC meetings with the Basin Commission and reserving time on the Basin Commission's agenda to learn what was discussed at the CCC meetings:

- *"It is good that there is a timeslot on the agenda for Basin Commission meetings for a CCC update, which is good."*
- *"Another thing that should be preserved is the CCC report on the Basin Commission's agenda. The Basin Commission needs the CCC to stay aware of what the communities are thinking about. Jerry does a good job reporting what is happening with the CCC. Unfortunately, he frequently reports that not many people are attending the CCC meetings. He does report what he hears."*

There were additional suggestions related to the Basin Commission and how it is informed of public issues:

- *"It is important to continue to provide a formal role for the CCC in the Basin Commission deliberations, but it should not be relegated to the last 15 minutes of meetings, after all the discussions have concluded."*
- *"The mechanism for reporting about the CCC meetings to the Basin Commission is not rigorous enough. At a minimum, the report to the commission should include pdf files of what was presented so the Commissioners understand what was presented to the community members who attend as well as what the community members asked about and commented on. Meetings are cancelled frequently because Terry thinks there is no need for a meeting. He tells people to call Jerry to discuss their concerns. However, there is no documentation of what people called Jerry to say, and Jerry does not necessarily pass that information along to the Commission."*
- *"The Community Involvement Coordinators (CIC) hear a lot when they are out and about. They should be sharing what they hear so their knowledge isn't wasted."*
- One person expressed frustration about getting input in front of the Basin Commission. This individual was dissatisfied with how ideas were being shared with the Basin Commission and had resorted to developing written versions for submittal. Evidently, even when these submissions were submitted at the CCC meeting, the individual was told that wasn't early enough to get the ideas distributed to the Basin Commission members.

The Basin Commission might want to consider establishing a mechanism for tracking issues raised at CCC meetings, including documenting how feedback is provided. This would help ensure that every issue raised in a CCC meeting is responded to. The range of responses could include everything from "Thank you for your input" to "You will be contacted privately by XXX within the next six weeks."

Regardless of the purpose of the CCC, implementation of recommendations 6-11 would enhance its effectiveness.

Recommendation 6. Demonstrate appreciation to those who participate in CCC meetings

A few people who participated in the interviews made observations about how they are treated.

- *“Another thing that can be off-putting is when the presenters say something like ‘we wish more people would come to the meetings.’ They seem to forget that they are paid to be there; the public is not. Some of those folks have to drive over an hour each way to attend a meeting and the total time is time out of their lives. I have no interest in going to a meeting that isn't presenting any new information, particularly if my presence isn't appreciated as a contribution of my voluntary time by people who are getting paid to be there. That problem isn't unique to the cleanup. I serve on the Soil Conservation District Board and we face the same challenge. It's disrespectful to invite the public to a public meeting when there is nothing new to report.”*
- *“The concept is good and important. People don't like to go to meetings. We have too many meetings to go to. Maybe if they took people a little more seriously and didn't say no to everything the public asked, maybe more people would attend. Don't get me wrong. I am grateful for what they have done in our community. They have accomplished a lot. The Superfund cleanup has been devastating to our economy but everyone would agree what they have done is good for our community. The CCC is a great vehicle for public input. I just wish they would take citizens' input more seriously.”*

Recommendation 7. The effectiveness of meeting notifications must be improved

Many people suggested that current methods of notifying the public are inadequate. Meeting notifications could be improved to inform more people who are potentially interested in attending. Meetings should be announced further in advance and notifications should provide compelling explanations as to why the public might want to learn more about topics that will be discussed. Meeting announcements should include not just a list of topics, but an explanation of why those topics are on the agenda. The public can't be expected to attend meetings if no explanation is provided as to why the topics to be addressed should matter to the public.

Numerous specific suggestions were provided during the interviews, including the following:

- *“Use NPR to announce meetings. Facebook isn't helpful; it isn't reaching the demographic that cares about the area.”*
- *“... meetings should be announced in the Inlander - a weekly newspaper that serves Northern Idaho and Washington. It covers art, culture, recreation, politics and the environment, and reaches a young demographic. There is a calendar of events in each issue.”*
- *“Maybe one of the main problems is that the general public doesn't understand why the topics on the agenda are on the agenda, and why the public should care.”*
- *“The manner in which meetings are announced needs to change. The agenda is drafted at the last minute and notifications go out very late. Glory sends it to her mailing list, which is short; it includes maybe ten citizens. She makes a flier and asks the DEQ and EPA community involvement staff to take it to meetings they attend. EPA puts the flier on Facebook. But the broader community has no idea the meetings are happening.”*
- *“if the focus of a meeting is going to be in the Lower Basin, maybe you could put out fliers. Not many people read the newspapers any more. The only TV stations are from Spokane except for Idaho Public Television.”*

- *“Maybe they could post fliers in the post office in Harrison. They could hold meetings at the Grange in Medimont or at the ambulance building or the Senior Center in Harrison. I'd be willing to put in more time when they start talking about the Lower Basin. I recreate there. I hope they don't start tearing the place up. They should leave well enough alone and let Mother Nature take care of things. People do all kinds of things there - boating, fishing, hunting, bird watching, kayaking. People really enjoy the area.”*

Recommendation 8. Every effort should be made to increase the number and diversity of people attending CCC meetings

If the Basin Commission needs the CCC to continue, a focused effort is needed to increase attendance at CCC meetings. This is essential because the current interpretation is that people do not attend CCC meetings because they are not interested in the cleanup. As one person said, *“The public doesn't attend meetings because they are not interested in the cleanup. They don't get interested unless something is happening in their backyards... People don't come to the CCC meetings anymore because people don't care about the cleanup in the Upper Basin. People cared about cleanup when it was in their yards, when new repositories were proposed, and when their roads were being upgraded. They don't want the money to go away and they don't care about cleanup in the Lower Basin. They want the EPA to spend the money closer to home.”*

Although that could be true, it could also be true that the Basin Commission is failing to make a compelling case why the public should be interested or that the mechanisms for announcing meetings are inadequate. Other interpretations of low attendance reveal other conclusions:

- A member of the public reported *“I just got tired of going to meetings about it. I will look at the meeting announcements and if the topic is interesting, I will go. People just aren't participating anymore. Today's paper had an article about a school board meeting. They were considering a \$9.4 million annual budget. Not one member of the public showed up for that meeting! Everyone is facing this. It is very hard to get people interested. They have little kids waiting for them at home.”*
- One agency representative observed, *“The CCC has the potential to be effective, but it just isn't. The reason relates to the fact that the meetings are attended by the same 4 or 5 citizens and the same 7 or 8 agency folks every time. The citizens come primarily to complain. I can't imagine that there isn't a more efficient way to get those folks to communicate than to have a meeting.”* This individual went on to observe that *“The chairman does a good job of disseminating information to everyone on his distribution list. He puts everyone who asks on his list. He has a huge list that he sends information to. Despite that, the same people show up every time. The problem is, it is very hard to interpret what the low attendance means. Is it that everyone understands and is satisfied with the information they are getting? Is it that they have nothing to say to the agencies? Is it that not enough people are getting the information? We just don't know.”*

Several people made suggestions for how to increase the diversity of people who participate in the CCC meetings, including business leaders, educators, community leaders, and others. Specific suggestions included:

- *“Community leadership needs to be involved. It is now time to reach out in the Lower Basin. If they are going to start cleaning up in the Lower Basin in 2017, they need to be doing outreach now. The CCC should be reaching out to community leaders in the Lower Basin now.”*
- *“As for the CCC, only retirees are participating. Those at most risk, families with young children*

and recreators are not participating. CCC meetings should be held in more locations, at different times of day. They should provide food and be held in child-friendly venues so parents could attend. Those voices need to be included in the cleanup planning process.”

- *“The challenge is that retired people can't be the only people we are hearing from. Meetings held during the middle of the day when one parent or even both parents are working means we won't hear from young families. I guess in the end the answer to this question depends on what the commission wants of the CCC. If we want a strong presence from the community - well we haven't had that in a long time.”*

Recommendation 9. Focus attention on the design of CCC meeting agendas

Many people commented on how the agenda is determined for CCC meetings.

Several suggested that the interests of the CCC members should be considered while developing the agendas for meetings:

- *“My other concerns include the prearranged agenda, with little room for new citizen driven topics.”*
- *“... agendas are not developed to reflect what community members want to talk about. If citizens had a role in identifying what would be discussed at the meetings, more people would attend.”*
- *“...everyone should be able to suggest topics for the CCC meetings. I don't understand why anyone can't make suggestions for the agenda.”*

By contrast, some folks liked the idea of the CCC hearing the same information that is being presented to the Basin Commission. For example, one person said, *“The CCC should have the same topics of discussion as on the Agenda of the Basin Commission meeting; community members should have the benefit of the same information.”*

Another suggestion was that agendas could be customized for different meeting locations:

- *“The CCC does not have much support or meetings for Washington (Spokane) and tribal residents (Coeur d'Alene or Spokane tribes). The meetings could be designed to be more localized for regional informational, updates and input. Presently the CCC meetings are a scaled down TLG meeting right after the TLG meeting which duplicates information or draws away some of the more interested public members. Another approach could be more localized meetings in local areas focusing on updating the general public on the overall project efforts and discussing local issues. I would suggest that there would be more meetings (two or three plus quarterly) at more local locations (Spokane, Plummer, Medimont, Rose Lake, Harrison, St Maries, Kellogg, Osborn, Wallace, and Coeur d'Alene). The information specialists would prepare meetings to give at two more sites with meetings in one day with afternoon and evenings, or day and next day meetings. The meeting would again serve as a status report of the project and update of local issues, designed to better inform and attract the interested and general public for more local input. In having more meetings in more local areas makes it easier for the general public to attend (cutting down general public travel) and can better solicit local input.”*

In any case, providing more notice of meeting schedules would increase participation. One person suggested *“A yearly schedule of the meeting locations need to be presented so that the local people will know that there will be meetings in their area.”*

One final idea related to scheduling of CCC meetings was shared. It was suggested that the CCC could meet on the same day and in the same location as the Basin Commission. *“Establish a central location*

for meetings, maybe on same day as Basin Commission meetings, since all the participants tend to be present.” Another person suggested: “Maybe the public could have its own luncheon when the Commissioners go off to their own private luncheon, we could have our own with guest speakers or the opportunity to talk about what has been presented. Maybe some of the environmental organizations like Kootenai Environmental Alliance and Idaho Conservation League would be willing to co-host. If we talked together and shared what we know, we could all become better informed.”

It is hard to design presentations for a public audience. Contradictory comments made during interviews included the following:

- *“The meetings can be super technical. The cleanup is complicated and the funding mechanisms are complicated. Much that is presented is confusing. I don't think anyone is trying to be confusing, but they are. The people who are close to it have been involved so long, they are so close to it, they forget where lay people are coming from.”*
- *“I don't mean to sound disparaging, but attending meetings now is hard. It may not be true, but it really does seem like I have already heard everything that is said. I don't mean to be critical, but it is especially hard for the presenters to answer questions. They have to simplify technical information without sounding like they are talking down to people. That's hard. Particularly when some people are like me, who have been going to public meetings for as long as I have. So many of the people who do the presenting are new to the project. They don't recognize people here and don't realize how long we have been going to meetings. It's easy for them to sound patronizing when they present and/or answer questions. It can be off-putting.”*

Recommendation 10. CCC meetings should be scheduled for dates, times, and locations to maximize attendance

The CCC meetings should be scheduled for dates, times, and locations that are convenient to the folks that it is hoped will attend. Many people suggested that meetings cannot be scheduled at the convenience of Basin Commission staff if it is hoped more people will attend.

Many people objected to scheduling CCC meetings during the daytime:

- As one person observed, *“The CCC meetings are held during business hours and it doesn't surprise me that not a lot of people are attending them.”*
- Another person said, *“The daytime meetings are not conducive to people participating.”*
- *“Evenings are better for people who work. I am not going to take time off work to attend a CCC meeting.”*

Others focused on meeting locations that would increase meeting attendance:

- *“I go if I am interested in whatever is going to be discussed. I also consider where the meeting will be held. If a meeting will be outside of Coeur d'Alene, I consider whether going would be worth the cost of gas and time to go. If an interesting topic is planned, or if I have something I want to bring up, I may try to find a ride with someone else that is going to the meeting. Being retired, the time consideration is not as critical for me as it is for others that are working or have kids to care for. Location is more of an issue because of the time it takes to go to the more distant sites. Maybe the CCC should encourage people to consider sharing rides? Sometimes there are more presenters than members of the public, in part because they get paid to go and their transportation costs are covered with a government vehicle.”*
- *“If the roads are bad and no one is available to car pool, distance and night driving becomes a barrier for me. It's especially hard for working people and seniors.”*

Particularly when the focus on the cleanup transitions to the Lower Basin, it was suggested that meetings will need to be held in the Lower Basin and likely, in the evening. One person took time to explain differences between the Silver Valley and the Lower Basin. *"There is a division between the Silver Valley and the people who live along the River below Cataldo. In the Upper Basin, the communities are more densely populated and more mature. The people who live there have long family histories of living in the valley and mining and mineral extraction. The people in the Lower Basin, in Kootenai County, live in a more dispersed settlement pattern. There are some farmers and ranchers, but there are also some professionals who commute to Coeur d'Alene for work. They are separated from their neighbors. The two groups have different lifestyles, value systems, and social norms."*

Suggestions specific to the Lower Basin included the following:

- *"The challenge in the Lower Basin will be engaging residents from rural areas. Meetings need to be held in Rose Lake, Medimont, and Harrison. The Basin Commission has to find ways that will work to engage a rural citizenry. Meetings need to be designed to involve citizens, to engage them in upcoming projects or issues that will affect their communities."*
- *"Logistically, because I am a farmer, it is a lot easier for me to participate in evening meetings. The CAC met for a long time in the evening and our meetings were held in Rose Lake. Rose Lake was chosen because it was mid-way between Silver Valley, Harrison, and Coeur d'Alene. It was approximately the same distance for folks from all reaches of the cleanup. The CAC was disbanded when the new Basin Commission was established. Since then, the Basin Commission has used a different concept for determining meeting location - they move it around. I think it is mostly back and forth between Coeur d'Alene and the Silver Valley - which is not as convenient for people in Harrison, St. Maries, and Plummer.... expecting people to drive 45 minutes or an hour each way is a lot to ask, especially if there is no new information to share. Meeting less frequently is not really the answer. They need to have meetings at least four times a year; less often than that is not enough."*
- *"If a meeting is planned for the Medimont Grange, I usually attend, particularly if I am interested in what will be discussed. I am not interested enough in the Upper Basin to go up there for meetings... Evening meetings would be better for people down here."*
- *"Maybe you could hang fliers on people's doors in Rose Lake, Medimont, and Harrison. People down here are not as interested in what is going on in the Box. The Nickel's Worth might be worth considering; almost everyone seems to read it."*
- *"I think they should preserve the CCC. Not everyone wants to go to the entire Basin Commission meeting. They could do a better job of notifying the public about the meetings. As they move into the Lower Basin, I am going to be more interested. They could maybe focus the meeting agendas on topics that will be of interest in the area where the meeting is held. They should have meetings in the Lower Basin if the topics being discussed are in the Lower Basin. Of course they should have the same topics that the Basin Commission is going to consider, but there should be a balance."*

Consideration might also be given to the frequency of meetings and how it is determined that a meeting is needed.

- *"If there is an issue on the agenda that is interesting to people, they show up. If there are no issues they find interesting, they don't come... It might be worth considering stopping the regularly scheduled meetings, and focus instead on holding meetings when there is something interesting to discuss, like emerging issues. Attendance has been low and it takes a lot of effort to have a meeting."*

- *"If the CCC continues, perhaps it should not meet on a regular basis but rather be scheduled as Basin Commission-hosted public workshops on topics that the Commission wants input on. The workshop topics should be announced more widely and the date, time, and location selected based on who is likely to be interested in the chosen topic. The meetings could be structured as brief presentations, then Q and A, then meaningful dialogue about the topic."*
- *"Meetings should be cancelled if there is nothing to talk about. It's a waste of people's time to have a meeting if there is nothing to talk about."*

Recommendation 11. Refine the structure, operations, and staffing of the CCC

Several people interviewed provided suggestions related to the structure of the CCC and how it is staffed. Suggestions related to how meeting are conducted included:

- *"The CCC meetings need to be facilitated by someone who is neutral, not the Basin Commission Director."*
- *"Utilize a professional facilitator without a conflict of interest to guide citizen meetings. Utilize an independent person to take minutes objectively. Have leaders sign conflict of interest agreements or clearly disclose potential red flags."*
- *"I don't even understand why Terry attends the meetings. If the CCC Chair actually chaired the meetings, it might work better. Terry tries to control the information presented and doesn't invite or allow dialogue. Whoever chairs the meetings should listen with an open mind. In addition, everything that is shared in the CCC should be reported to the Basin Commission."*

Several suggestions focused specifically on the Chair of the CCC. These included the observation that *"The CCC should be preserved because it serves an important function and it should be chaired by someone like Jerry Boyd, a regular citizen."* A number of people suggested that the chair of the CCC should live in the Basin, however. This sentiment derived from an expectation that the Chair should have his finger on the pulse of people who will be impacted by cleanup decisions, should attend community events, and should know community leaders.

A number of people suggested changes to the role of the chair. Examples included:

- *"I think they need a change in leadership. The current leadership is not out there trying to inform the community about what the Basin Commission is doing and not trying to invite people to attend meetings."*
- *"When the CCC chair goes to the Basin Commission, he should be asking the Basin Commission to respond to what he reports. They are not receiving the input and they are not responding to the input. He should be nudging them to take more interest in what the public has to say."*
- *"The current chair of the CCC is not doing his job of building an inclusive place for the community to have a say in the cleanup program."*
- *"The CCC chair should consider attending other community meetings (Rotary, etc.) to both obtain and share information rather than holding separate meetings just for cleanup activities."*

Others suggested expanding the role of the CCC members, including:

- *"The CCC should be serving as a two-way conduit of information. To my knowledge, the CCC members are not going back to their communities and sharing any information. If the mission of the CCC is 'to serve as the primary conduit to and from the Basin Commission,' it is not happening."*
- *"It would be good if a representative of the CCC were to attend City Council and Chamber of Commerce meetings in the communities in the box. Those communities are not well represented*

by the Commission and they are the most affected by the cleanup. That representative could serve two-way communication by sharing the status of the cleanup at those meetings and collecting input that could then be shared with the CCC and Basin Commission."

One person even suggested that the "CCC should be designed like a Community Advisory Group. A CAG would control its own agenda, have a chair that is a regular citizen, and have a neutral group facilitator so it would be safe for people to say what they think."

Another suggestion related to the room set-up for CCC meetings. This person suggested that the room should be set "... so that all the participants are at the table. The room is set now for an audience, not for a conversation. If everyone was at the table, they would feel included. It would say to them, you are welcome here and we want your input."

Finally, a few people focused attention on the CCC meeting minutes. Comments that were shared included:

- *"...there needs to be a more deliberate and careful recording of what is said so that those comments can be shared faithfully with the Basin Commission."*
- *"I think the CCC should also have a citizen secretary - someone responsible for taking notes and producing the minutes. It is a problem having the Basin Commission controlling the production of the minutes. There is not a consistent and timely review and approval process that involves the people who actually attended the meeting. The draft should be shared with the CCC before it is shared at a Basin Commission meeting. The people who attend and spoke or commented at the meetings do not have the opportunity to review and approve the draft minutes. The agency people who present should also be allowed to review what the minutes say to make sure they correctly capture what was presented."*
- *"As for the CCC, voices that are not supportive of what the Basin Commission is doing are not heard. I don't know if it is intentional, but those who raise concerns are not heard, not taken seriously. And their concerns are not conveyed to the Basin Commission and consequently, those concerns are not responded to."*

If the various parties agree to work together to achieve a more coordinated, comprehensive approach to engaging the community in the cleanup program, I would recommend the Basin Commission consider two more recommendations.

Recommendation 12. Engage the services of a qualified public participation specialist

The parties (EPA, DEQ, and the Basin Commission) could hire a public participation specialist to design and implement a comprehensive, coordinated approach to public outreach and engagement. The tasks outlined above would take considerable effort and would require a skill set beyond the current skills and experience of existing Basin Commission staff. I would recommend a new employee be hired who has appropriate training and experience in designing and conducting a public participation program of a similar complexity as the Bunker Hill cleanup effort. A professional who belongs to the relevant professional association, for example, could be expected to conduct well designed and implemented activities in compliance with professional standards, like IAP2's Core Values and Code of Ethics (both of which are presented on the next page).

A variation of this recommendation would be to fully utilize professional facilitation services offered and funded by the EPA. The facilitator could plan, design, and lead CCC meetings and support implementation of the other recommendations outlined in this assessment. This option could be more affordable for the Basin Commission.

Recommendation 13. Design and convene a Community Advisory Group

The parties (EPA, DEQ, and the Basin Commission) could convene a Community Advisory Group (CAG) as described by EPA for the Superfund program (see <https://www.epa.gov/superfund/community-advisory-groups>).

A CAG is an advisory panel, typically composed of 15-25 people who represent the diversity of community interests. The purpose of a CAG is to serve as a public forum for community members to discuss their needs and concerns related to the Superfund decision-making process and assist the responsible agencies in making better decisions on how to clean up a site. CAG membership should be recruited and selected to reflect the diversity of racial, ethnic, and economic interests in the community. According to EPA, CAGs associated with Superfund cleanups “...should be drawn from among residents and owners of residential property near the site; others who may be directly affected by site releases; Native American tribes and communities; minority and low-income groups; local environmental or public interest groups; local government units; local labor representatives; and local businesses” (<https://www.epa.gov/superfund/community-advisory-groups>).

The success of a new Basin CAG would rely on recruitment and selection of a diverse slate of members to include folks not currently participating, like representatives of the business community, young professionals, people with young children, and people who live and/or recreate in the Lower Basin.

If this recommendation were pursued, I would further recommend that the parties:

1. Convene a design committee to develop a charter for the CAG outlining clear expectations and operations and develop a list of the desired membership categories.
2. Conduct a selection process to recruit and select an initial slate of members to serve on the CAG.
3. Convene the CAG.

A CAG cannot substitute for fuller public participation, but could assist all of the agencies in assuring that they are hearing from a much broader cross-section of the community.

Core Values for the Practice of Public Participation

As an international leader in public participation, IAP2 has developed the "IAP2 Core Values for Public Participation" for use in the development and implementation of public participation processes. These core values were developed over a two-year period with broad international input to identify those aspects of public participation which cross national, cultural, and religious boundaries. The purpose of these core values is to help make better decisions which reflect the interests and concerns of potentially affected people and entities.

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

(source: <http://www.iap2.org/?page=A4>)

IAP2's Code of Ethics for Public Participation Professionals

As members of IAP2, we recognize the importance of a Code of Ethics, which guides the actions of those who advocate for including all stakeholders in public decision-making processes. To fully discharge our duties as public participation professionals, we define terms used explicitly throughout our Code of Ethics. We define stakeholders as any individual, group of individuals, organization, or political entity with a stake in the outcome of a decision. We define the public as those stakeholders who are not the decision maker(s). We define public participation as any process that involves the public in problem-solving or decision making and that uses public input to make better decisions.

This Code of Ethics is a set of principles that guides us in our practice of enhancing the integrity of the public participation process. As professionals, we hold ourselves accountable to these principles and strive to hold all participants to the same standards.

1. Purpose. We support public participation as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body.
2. Role of Professional. We will enhance the public's participation in the decision-making process and assist decision makers in being responsive to the public's concerns and suggestions.
3. Trust. We will undertake and encourage actions that build trust and credibility for the process and among all the participants.
4. Defining the Public's Role. We will carefully consider and accurately portray the public's role in the decision-making process.
5. Openness. We will encourage the disclosure of all information relevant to the public's understanding and evaluation of a decision.
6. Access to the Process. We will ensure that stakeholders have fair and equal access to the public participation process and the opportunity to influence decisions.
7. Respect for Communities. We will avoid strategies that risk polarizing community interests or that appear to "divide and conquer."
8. Advocacy. We will advocate for the public participation process and will not advocate for a particular interest, party or project outcome.
9. Commitments. We will ensure that all those decisions made by the decision maker are made in good faith.
10. Support of the Practice. We will mentor new professionals in the field and educate decision makers and the public about the value and use of public participation.

(source: <http://www.iap2.org/?page=8>)

Conclusion

There is support for continuation of the CCC. For example:

- One Basin Commission member said, *“There likely needs to be a formalized community engagement function within the Basin Commission but the form that takes may evolve over time. The MOA outlines an important function for the CCC, but this function is being largely performed by other entities.”*
- One member of the public said, *“They need to remember that the public is giving their time. They are all paid to be there, but the public is coming in to help and they don't seem to appreciate that. They should do a better job of letting people know about the opportunity... I want to stay informed and I appreciate the opportunity to be involved. People care about this place and they should have the opportunity to participate. Not everyone has time to participate, but some of us do.”*
- Another member of the public said, *“The public agencies need public input; someone needs to be looking over their shoulder. They are using public dollars and they need to be accountable to the public. The problem is complicated. They do need to appreciate public input and to remember that public attending are donating their time. It would be best if they would ask specific questions that they would like input on, and then consider the responses they get from the public. They should ask for help and then use the input they get. Once the cleanup is done, they will go away. We will still be living here, keeping an eye on things. If someone does something stupid that will hurt a remedy, I will be here to see that. Those of us who live here will take over stewardship of the remedies for years to come, long after they are gone.”*

Despite that, it is not clear to me what should be done going forward. My first recommendation is the most important. I think the Basin Commission should talk about its role in decision making and determine for itself whether there is an ongoing need for public participation to inform that decision-making process. To reiterate, IAP2 defines public participation as any time a government entity solicits input from the public with the explicit intention of using that input in a decision making process. Much has changed in the years since the Memorandum of Agreement was signed following passage of the Basin Environmental Improvement Act of 2001. What is not clear is whether the Basin Commission has an ongoing need to hear from the public in order to make decisions that are informed by the public.

It is clear that continuing to operate the CCC as it is currently operating will be disappointing to many and would serve the Basin Commission and the agencies little purpose, particularly when it falls short of the expectations of Basin Commission members, agency representatives, and members of the public.

The list of recommendations in this Situation Assessment is long and would take considerable effort. A thorough evaluation of the on-going need for public involvement to inform the deliberations of the Basin Commission is essential. If that evaluation reveals that the Commission has no need for public involvement, the level of effort required to implement the various other recommendations would presumably not be warranted. If that is the conclusion, the Basin Commission might give serious consideration to discontinuing the CCC. The agencies that require public participation could certainly continue to work independently on an as needed basis. In addition, the Basin Commission may identify other paths identified as part of this assessment.